

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

JOHNNIE STEPHENS,
Plaintiff,

v.

CONVERGENT OUTSOURCING, INC.
Defendant.

§
§
§
§
§
§
§

Cause No: 2:14-cv-248

DEFENDANT CONVERGENT OUTSOURCING, INC.'S NOTICE OF REMOVAL

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, Convergent Outsourcing, Inc. (“Convergent” or “Defendant” herein), hereby files its Notice of Removal of this action to the United States District Court for the Eastern District of Texas, Marshall Division and in support thereof would show unto the Court the following:

1. Johnnie Stephens (“Plaintiff”) filed his Plaintiff’s Original Petition on February 14, 2014 in the 71st Judicial District Court, Harrison County, Texas, Cause No. 140118 (the “Lawsuit”).
2. This is a civil action based upon Plaintiff’s contentions that, among other things, Defendant violated the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 *et seq.* (“FDCPA”)
3. Removal is proper because this case involves a federal question—an alleged violation of the FDCPA. The entire suit is removable under 28 U.S.C. §1441(c).
4. Removal is timely pursuant to 28 U.S.C. §1446(b) because Defendant has filed this Notice of Removal within 30 days of receipt of Plaintiff’s Original Petition. Defendant first ascertained that this lawsuit is one which is or has become removable after receipt of

Plaintiff's Original Petition, which was served on February 20, 2014.

5. Pursuant to 28 U.S.C. §1446(a), copies of all process, pleadings, orders and other papers filed in this action and obtained by Defendant are attached hereto and marked as composite Exhibit "A," and incorporated herein by reference.
6. A copy of this Notice of Removal has been sent to Plaintiff and will be filed with the clerk of the 71st Judicial District Court, Harrison County, Texas.
7. Venue is proper in this district under 28 U.S.C. §1441(a) because the state court where the suit has been pending is located in this district.
8. A jury demand was not made in state court.

For the above reasons, Defendant requests that this Court assume full jurisdiction over this proceeding as provided by law.

Respectfully submitted,

ROBBIE MALONE, PLLC

/s/ Robbie Malone
ROBBIE MALONE
State Bar No. 12876450
Email: rmalone@rmalonelaw.com
XERXES MARTIN
State Bar No. 24078928
Email: vmartin@rmalonelaw.com
DREW JONES
State Bar No. 24083269
Email: djones@rmalonelaw.com
ROBBIE MALONE, P.L.L.C.
Northpark Central, Suite 1850
8750 North Central Expressway
Dallas, Texas 75231
TEL: (214) 346-2630
FAX: (214) 346-2631

COUNSEL FOR DEFENDANT

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing document has been forwarded via CM/RRR on this 21st day of March, 2014 to:

CM/RRR – 7012 3050 0001 0963 2515

Gabriel Meyrat

P.O. Box 570396

Dallas, Texas 75257

214-403-5928

gmeyrat@gmail.com

/s/ Drew Jones

DREW JONES